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Portland, Oregon 97204

Telephone: 503-227-2424

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Attorneys for Defendant Command Center Inc. dba Hirequest Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

TRACY WADLEY, an individual, and
COLLEEN WADLEY, and individual,

Plaintiffs,

vs.

DAREN DURHAM, an individual, COVEY
AUTO EXPRESS INC., dba PACIFIC AUTO
TRANSPORT, a California corporation,
COMMAND CENTER INC. dba
HIREQUEST INC., a Delaware corporation,

Defendants

Case No.: 3:20-cv-00243

**DEFENDANT COMMAND CENTER
INC. dba HIREQUEST INC.'S
NOTICE OF REMOVAL**

DEFENDANT'S NOTICE OF REMOVAL

Defendant Command Center Inc. nka Hirequest Inc., incorrectly identified as “Command Center, Inc. dba Hirequest Inc.,” (“Command”) by and through its attorneys, hereby removes this action — Multnomah County Circuit Court Case No. 20CV02047 — to the United States District Court for the District of Oregon, Portland Division. Command is entitled to remove this case to
DEFENDANT COMMAND CENTER INC. dba HIREQUEST INC.'S NOTICE OF REMOVAL — Page 1

Federal Court because this Court has diversity jurisdiction over the underlying dispute, Command is filing this notice of removal within 30 days of receiving the complaint, and all properly served Defendants consent to and join in the removal of this action.

THE REMOVED CASE

1.

The removed case is a state-law action alleging negligence, negligence per se, negligent entrustment, and vicarious liability.

PAPERS FROM REMOVED ACTION

2.

Pursuant to 28 U.S.C. § 1446(a), Command attaches to this Notice of Removal a copy of all process, pleadings, and orders served on the defendants in the state-court action. *See* Exhibit 1, attached hereto.

THE REMOVAL IS TIMELY

3.

Under 28 U.S.C. § 1446(b), a defendant must file a notice of removal within 30 days after receiving the complaint. Here, Plaintiff purports to have effected service of the Complaint and Summons on Command on January 15, 2020. *See* Exhibit 1. Accordingly, this removal is timely.

VENUE IS PROPER

4.

Under U.S.C. § 1441(a), a removable state-court case should be removed to “the district and division embracing the place where such action is pending.” Plaintiffs filed their

Complaint in the Multnomah County Circuit Court in Multnomah County, Oregon. *See* Exhibit 1; Exhibit 2. Multnomah County, Oregon is within the United States District Court for the District of Oregon, Portland Division. The Portland Division is therefore the proper venue for initial removal.

THIS COURT HAS DIVERSITY JURISDICTION

5.

Under 28 U.S.C § 1441(a), a party may remove to federal court any state-court action “of which the district courts of the United States have original jurisdiction” A district court has original jurisdiction over any matter where “the matter in controversy exceeds the sum or value of \$ 75,000” and the parties are “[c]itizens of different states.” 28 U.S.C. § 1332(a). An action is one between citizens of different states when each plaintiff is a citizen of a different state than each defendant. *Caterpillar Inc. v. Lewis*, 519 U.S. 61, 68, 117 S. Ct. 467, 472 (1996). Here, the Court has jurisdiction because Plaintiff is a citizen of Oregon, Defendant Daren Dunham is a citizen of the State of Washington, Defendant Covey Auto Express Inc. dba Pacific Auto Transport (“Covey”) is a citizen of California, and Defendant Command is a citizen of Delaware and South Carolina. Plaintiff has pleaded that the amount in controversy is \$5,000,000.

6.

Plaintiffs are now — and was at the time they filed their complaint — citizens and domiciliaries of the State of Oregon.

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DEFENDANT COMMAND CENTER INC. dba HIREQUEST INC.’S NOTICE OF REMOVAL — Page 3

41856
SMITH FREED EBERHARD P.C.
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Portland, Oregon 97204
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7.

Defendant Daren Dunham is – and was at the time Plaintiffs filed their complaint – a citizen and domiciliary of the State of Washington.

8.

Covey is — and was at the time Plaintiff filed their complaint — a California corporation with its principal place of business in California. Covey is therefore a citizen of the State of California. *See* 28 U.S.C. § 1332(c)(1).

9.

Command is — and was at the time Plaintiffs filed their Complaint — a Delaware Corporation with its principal place of business in South Carolina. Command is therefore a citizen of the States of Delaware and South Carolina. *See* 28 U.S.C. §1332(c)(1).

10.

Because Plaintiffs are citizens of Oregon, and each Defendant is a citizen of another state, complete diversity exists under 28 U.S.C. § 1332.

11.

The amount in controversy exceeds \$75,000 exclusive of interest and costs because Plaintiff's Complaint prays for monetary relief of \$5,000,000. *See* Exhibit 1.

12.

Because (i) this action is a civil action pending within the judicial district of the United States District Court for the District of Oregon, Portland Division; (ii) this action is between citizens of different states; and, (iii) the amount in controversy exceeds \$75,000, exclusive of interest and costs, Command may remove this state-court action to this Court under 28 U.S.C. § 1441(a).

DEFENDANT COMMAND CENTER INC. dba HIREQUEST INC.'S NOTICE OF REMOVAL — Page 4

FILING OF REMOVAL PAPERS

13.

Pursuant to 28 U.S.C. § 1446(d), Command will promptly file a copy of this Notice of Removal with the Multnomah County Circuit Court, Multnomah County, Oregon, and will serve a copy of the same upon counsel for Plaintiffs. By filing this Notice of Removal, Command does not waive any jurisdictional or other defenses that might be available to it or to the other Defendants. In addition, Command expressly reserves the right to move for transfer and for dismissal of some or all of Plaintiff's claims pursuant to Rule 12 of the Federal Rules of Civil Procedure. Command reserves the right to amend or supplement this Notice of Removal.

CONSENT AND JOINDER

14.

Pursuant to 28 U.S.C. § 1446(b)(2), as reflected by the signature of their respective counsel below, all Defendants who have been properly joined and served consent to and join in the removal of this action.

WHEREFORE, Defendant Command hereby removes this action from the Multnomah County Circuit Court, Multnomah County, Oregon, to the United States District Court for the District of Oregon, Portland Division and requests that this Court retain jurisdiction for all further proceedings in this matter. Should any question arise as to the removal of this matter, Defendant Command respectfully requests an opportunity to conduct appropriate discovery and/or to provide briefing and oral argument as to why removal is proper.

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DEFENDANT COMMAND CENTER INC. dba HIREQUEST INC.'S NOTICE OF REMOVAL — Page 5

41856
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DATED this 13th day of February, 2020.

SMITH FREED EBERHARD P.C.

By: /s/ Sean K. Conner
Ryan J. McLellan, OSB No. 023908
Sean K. Conner, OSB No. 132518
rmclellan@smithfreed.com
sconner@smithfreed.com
Of Attorneys for Defendant Command Center
Inc. nka Hirequest Inc.

WILLIAMS KASTNER

By: /s/ Heidi L. Mandt
Heidi L. Mandt, OSB No. 953459
hmandt@williamskastner.com
Of Attorneys for Daren Dunham

HITT HILLER MONFILS WILLIAMS LLP

By: /s/ Brian B. Williams
Brian B. Williams, OSB No. 964594
Tomas F. Osborne, OSB No. 164484
bwilliams@hittandhiller.com
tosborne@hittandhiller.com
Of Attorneys for Defendant Covey Auto
Express dba Pacific Auto Transport

**DEFENDANT COMMAND CENTER INC. dba HIREQUEST INC.'S NOTICE OF
REMOVAL — Page 6**

41856
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1/9/2020 8:49 AM
20CV02047

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRACY WADLEY, an individual, and
COLLEEN WADLEY, an individual,

Plaintiffs,

vs.

DAREN DURHAM, an individual,
COVEY AUTO EXPRESS INC. dba
PACIFIC AUTO TRANSPORT, a
California corporation, COMMAND
CENTER INC. dba HIREQUEST INC., a
Delaware corporation,

Defendants.

Case No.:

COMPLAINT

Jury Trial Requested

AMOUNT CLAIMED: \$5,000,000

(Filing Fee: \$884 pursuant to ORS 21.160)

Claim Not Subject to Mandatory Arbitration

For their complaint, Plaintiffs Tracy Wadley and Colleen Wadley (collectively,
“*Plaintiffs*”) allege as follows:

FACTS COMMON TO ALL ALLEGATIONS

1.

Plaintiffs are residents of Oregon.

2.

Defendant Daren Durham (“*Durham*”) is a resident of the State of Washington.

3.

Defendant Covey Auto Express, Inc., doing business as Pacific Auto Transport (“*Covey*”) is a California corporation that conducts regular, sustained business activity in Multnomah County, Oregon.

1 – COMPLAINT

HARRIS ♦ VELÁZQUEZ ♦ GIBBENS
Attorneys at Law
165 SE 26th Avenue
Hillsboro, Oregon 97123
Telephone (503) 648-4777
Fax (503) 648-0989

EXHIBIT 1
PAGE 1 OF 13

4.

Defendant Command Center, Inc., doing business as HireQuest, Inc. ("*Command Center*") is a Delaware corporation that conducts regular, sustained business activity in Multnomah County, Oregon.

5.

This court has jurisdiction under ORCP 4 C because the injuries asserted in the complaint herein occurred in Oregon. Venue is proper under ORS 14.080 because the cause of action arose in Multnomah County, and Covey and Command Center both conduct regular, sustained business activity in Multnomah County, Oregon.

6.

At all material times, Covey had a contract with Union Pacific railyard to transport vehicles from the Port of Portland to the railyard. In furtherance of this contract, Covey entered into a contractual relationship with Command Center to provide drivers.

7.

On February 5, 2018, Command Center provided Durham as a driver to Covey. At the time, Durham possessed a suspended driver's license due to an extensive criminal history that included driving offenses. Command Center failed to perform a proper background check or vetting of Durham prior to providing him as a driver to Covey. For their part, Covey did not perform any investigation of Durham's driving record before entrusting him with a vehicle either.

8.

On February 5, 2018, Durham was driving a Ford Focus in furtherance of transporting the vehicle from the ship docks to the trail rail docks. He was heading eastbound on North Lombard Street, between North Columbia Boulevard and North Rivergate Boulevard, in Portland, Oregon. This section of North Lombard Street is an overpass.

2 -- COMPLAINT

9.

At the same time, Tracy Wadley was driving westbound on North Lombard Street in a Ford F150 pickup.

10.

As the vehicles neared each other, Durham swerved out of his lane and into the oncoming traffic lane. The vehicles operated by Durham and Tracy Wadley collided head on, causing injuries to Tracy Wadley (the "*Collision*").

DAMAGES SUFFERED BY PLAINTIFFS

11.

Plaintiffs reallege and incorporate by reference paragraphs 1 through 10 of their complaint.

12.

As a direct and proximate result of the Collision, Tracy Wadley was injured and suffered bodily trauma and injury. His injuries included but were not limited to: displaced comminuted fracture of shaft of right tibia; dissection of iliac artery; acute post-hemorrhagic anemia; fracture of shaft of right fibula; hypoxemia; acute pain due to trauma; and displaced fracture of tuberosity of right calcaneus. Surgical intervention was required.

13.

Even with ongoing medical treatment extending beyond a year, Tracy Wadley still suffers, among others, constant pain in his right leg, burning sensation tinnitus to both ears, lumbar back pain with muscle spasms, poor balance, fatigue, numbness in his right leg, insomnia due to pain, anxiety when driving, and depression due to physical limitations.

14.

Because of these injuries, Tracy Wadley has incurred past medical bills to treat his injuries in the amount of approximately \$190,000. Tracy Wadley's injuries also prevented him

3 – COMPLAINT

1 from being able to work, resulting in a wage loss of approximately \$28,000. Tracy Wadley's
 2 injuries will require continuing and future care for the remainder of his life. Such care is
 3 estimated to cost approximately \$970,000. Tracy Wadley seeks compensation for his losses in
 4 these amounts.

5 15.

6 As a direct and proximate result of the Collision, Tracy Wadley suffered great pain,
 7 inconvenience, disruption of life activities, loss of quality of life and severe disability due to his
 8 injuries. He will continue to suffer in the future. His present and future non-economic damages
 9 are \$3,062,000. Tracy Wadley seeks compensation for his loss in this amount.

10 16.

11 As a direct and proximate result of the Collision and the injuries and conditions it caused
 12 to Tracy Wadley, he is no longer able to perform the necessary duties of a spouse including
 13 working and services performed in the care, maintenance, and management of the family home,
 14 and will be unable to perform such work, services, and duties in the future. As a result, Colleen
 15 Wadley has been and will be permanently deprived of the consortium of Tracy Wadley.

16 17.

17 Colleen Wadley has and will continue to suffer loss of consortium, including but not
 18 limited to the loss of services, marital relations, society, comfort, companionship, love, and
 19 affection of Tracy Wadley, all to her non-economic damage in an amount of \$750,000.

20 **FIRST CLAIM FOR RELIEF**

21 **(Negligence and Negligence per se – by Durham)**

22 18.

23 Plaintiffs reallege and incorporate by reference paragraphs 1 through 17 of their
 24 complaint.

25 ///

4 – COMPLAINT

19.

On February 5, 2018, Durham acted negligently by unreasonably creating a foreseeable risk to a protected interest of the kind of harm that befell Plaintiffs.

20.

In committing the acts and omissions set forth above, Durham violated sections of the "Rules of the Road for Drivers" under the Oregon Vehicle Code, ORS 811.005, *et seq.* in one or more of the following particulars:

- (a) By driving with a suspended license;
- (b) By failing to exercise due care;
- (c) By failing to maintain reasonable control of the vehicle under the circumstances;
- (d) By failing to drive at a safe speed under all the circumstances;
- (e) By failing to observe a traffic control device;
- (f) By failing to drive in his designated lane; and
- (g) By careless driving.

21.

The traffic laws violated by Durham were promulgated for the purpose of protecting people in the position Tracy Wadley occupied at the time of the collision from the type of harm Tracy Wadley suffered.

22.

By reason of Durham's violation of traffic laws, Durham is liable to Plaintiffs for their damages under the doctrines of negligence and negligence *per se*.

23.

As a direct and proximate result of Durham's negligence, Plaintiffs were injured in the manner and amounts described above.

5 – COMPLAINT

1 SECOND CLAIM FOR RELIEF

2 (Doctrine of Respondeat Superior and Negligent Entrustment – by Covey)

3 24.

4 Plaintiffs reallege and incorporate by reference paragraphs 1 through 24 of their
5 complaint.

6 25.

7 At all material times, Durham was an agent or employee of Covey and under its control.

8 26.

9 During the alleged events, Durham was performing duties within the course and scope of
10 his employment with Covey and was acting with the full consent, permission, and authority of
11 Covey.

12 27.

13 Under the doctrine of respondeat superior, Covey is vicariously liable for the negligence
14 of its agent or employee, Durham. Accordingly, Covey is liable for any damages incurred as a
15 result of the negligence of Durham.

16 28.

17 As a direct and proximate result of Durham's negligence, Plaintiffs were injured in the
18 manner and amounts described above.

19 29.

20 In addition, Covey had a duty to investigate the driving record of Durham before
21 entrusting him with a motor vehicle, and thereby would have learned that Durham would likely
22 operate the vehicle in a negligent manner. Covey breached that duty by failing to perform any
23 investigation at all into Durham's driving record. Therefore, Covey is liable for negligently
24 entrusting a motor vehicle to Durham.

25 ///

6 – COMPLAINT

1 **THIRD CLAIM FOR RELIEF**

2 **(Doctrine of Respondeat Superior and Negligence – by Command Center)**

3 30.

4 Plaintiffs reallege and incorporate by reference paragraphs 1 through 30 of their
5 complaint.

6 31.

7 At all material times, Durham was an agent or employee of Command Center.

8 32.

9 During the alleged events, Durham was performing duties within the course and scope of
10 his employment with Command Center and was acting with the full consent, permission, and
11 authority of Command Center.

12 33.

13 Under the doctrine of respondeat superior, Command Center is vicariously liable for the
14 negligence of its agent or employee, Durham. Accordingly, Command Center is liable for any
15 damages incurred as a result of the negligence of Durham.

16 34.

17 As a direct and proximate result of Durham's negligence, Tracy Wadley was injured in
18 the manner and amounts described above.

19 35.

20 In addition, Command Center had a duty to perform a proper background check and/or
21 vetting of Durham prior to providing him as a driver to Covey. Command Center breached that
22 duty by failing to perform such a background check and/or vetting, which would have included
23 investigating Durham's driving record. Therefore, Command Center is liable for negligently
24 hiring and delivering Durham to Covey for the express purpose of driving a vehicle.

25 ///

7 – COMPLAINT

36.

Plaintiffs reserve the right to amend the complaint to state additional claims against defendants as may be discovered during the pendency of this litigation.

PRAYER FOR RELIEF

Plaintiffs pray for judgment as follows:

1. On their First Claim for Relief, for an award damages against Durham in an amount proven at trial, but no less than \$5,000,000;
2. On their Second Claim for Relief, for an award damages against Covey in an amount proven at trial, but no less than \$5,000,000;
3. On their Third Claim for Relief, for an award damages against Command Center in an amount proven at trial, but no less than \$5,000,000;
4. For their costs and disbursements incurred herein;
5. For pre and post-judgment interest on all damages awarded; and
6. For such other and further relief as the Court deems appropriate.

DATED this 6th day of January, 2020.

HARRIS ♦ VELÁZQUEZ ♦ GIBBENS



M. Casey Gibbens, OSB #073834
Attorney for Plaintiffs
165 SE 26th Avenue
Hillsboro, Oregon 97123
Phone: 503-648-4777
Fax: 503-648-0989
Email: cgibbens@harrislawsite.com

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRACY WADLEY, an individual, and)
COLLEEN WADLEY, an individual,)
Plaintiffs,)

Case No. 20CV-02047

vs.)

DECLARATION OF SERVICE
(ORCP 1E)

DAREN DURHAM, an individual, COVEY)
AUTO EXPRESS INC. dba PACIFIC AUTO)
TRANSPORT, a California corporation,)
COMMAND CENTER INC. dba)
HIREQUEST INC., a Delaware corporation,)
Defendants.)

STATE OF OREGON)
) ss.
County of Washington)

I, Robert J. Tyner, declare that I made service of the following documents, namely:

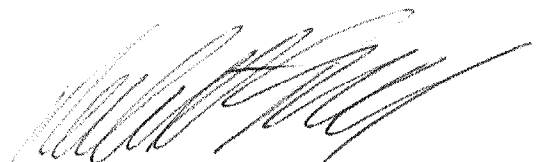
- *Summons*
- *Complaint*

upon **COMMAND CENTER INC. dba HIREQUEST INC.**, Defendant in this matter, via Office Service, on **Registered Agent Corporation Service Company**, on Sharon Walls, the person apparently in charge, by delivering or leaving certified true copies of the aforementioned documents, prepared and certified by M. Casey Gibbens, attorney for Plaintiffs, at 1127 Broadway Street NE, Suite 310, Salem, Oregon 97301, on **January 15, 2020, at 12:05 PM.**

I certify that I am a competent person 18 years of age or older and a resident of the State of service or the State of Oregon, and that I am not a party to, nor officer, director or employer of, not attorney for any party, corporate or otherwise; that the person, firm, or corporation served by me is the identical person, firm or corporation named in the action.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED this 15th day of January, 2020.


Robert J. Tyner, Investigator/Process Server

TYNER INVESTIGATIONS
347 SOUTHWEST OAK STREET
HILLSBORO, OREGON 97123
OFFICE (503) 648-2256

EXHIBIT 1
PAGE 9 OF 13

2/3/2020 3:15 PM
20CV02047

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRACY WADLEY, an individual, and)
COLLEEN WADLEY, an individual,)
Plaintiffs,)

Case No. 20CV-02047

vs.)

DECLARATION OF SERVICE
(ORCP 1E)

DAREN DURHAM, an individual, COVEY)
AUTO EXPRESS INC. dba PACIFIC AUTO)
TRANSPORT, a California corporation,)
COMMAND CENTER INC. dba)
HIREQUEST INC., a Delaware corporation,)
Defendants.)

STATE OF OREGON)
) ss.
County of Washington)

I, Robert J. Tyner, declare that I made service of the following documents, namely:

- *Summons*
- *Complaint*

upon **DAREN DURHAM**, Defendant in this matter, via Personal Service, by delivering or leaving certified true copies of the aforementioned documents, prepared and certified by M. Casey Gibbens, attorney for Plaintiffs, at 207-2 8th Street, Washougal, Washington 98671, on **January 26, 2020, at 3:54 PM.**

I certify that I am a competent person 18 years of age or older and a resident of the State of service or the State of Oregon, and that I am not a party to, nor officer, director or employer of, not attorney for any party, corporate or otherwise; that the person, firm, or corporation served by me is the identical person, firm or corporation named in the action.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED this 30th day of January, 2020.


Robert J. Tyner, Investigator/Process Server

1/9/2020 3:14 PM

20CV02047

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRACY WADLEY, an individual, and
COLLEEN WADLEY, an individual,

Plaintiffs,

vs

DAREN DURHAM, an individual, COVEY
AUTO EXPRESS INC., dba PACIFIC AUTO
TRANSPORT, a California corporation,
COMMAND CENTER INC. dba
HIREQUEST INC., a Delaware corporation,

Defendants.

) Case No.: 20CV02047

) **PROOF OF SERVICE**

I, David Davis, being first duly sworn, say that I served the attached
Summons and Complaint upon the following party Charles Hasting; Registered Agent For Covey
Auto Express, Inc., dba Hirequest Inc.
on the 9th day of January 2020 by Personal Service
(personal, substituted service)

Dated this 9th day of January 2020

David Davis
Name

1 - PROOF OF SERVICE

HARRIS VELÁQUEZ GIBBENS

Attorneys at Law

165 S.E. 26th Avenue

Hillsboro, Oregon 97123

Telephone (503) 648-4777

EXHIBIT 1
PAGE 11 OF 13

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MULTNOMAH

TRACY WADLEY, and individual, and
COLLEEN WADLEY, an individual,

Plantiffs

vs.

DAREN DURHAM, an individual, COVEY
AUTO EXPRESS INC. dba PACIFIC AUTO
TRANSPORT, a California corporation,
COMMAND CENTER INC. dba
HIREQUEST INC., a Delaware corporation,

Defendants.

Case No.: 20CV02047

SUMMONS

TO: Covey Auto Express, Inc., dba Hirequest Inc., C/O registered agent: Charles Hastings, 4568 Feather River Dr., Stockton, CA 95205., Defendant.

NOTICE TO DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear," you must file with the Court a legal paper called an "answer" or "motion." Response forms may be available through the Multnomah County Circuit Court. This response must be filed with the Court Clerk or Administrator within 30 days, along with the required filing fee. It must be in proper form and you must show that the Plaintiff's attorney was served with a copy of the "answer" or "motion." The location to file your answer is at the Multnomah County Circuit Court, 1021 SW 4th Avenue, Portland, Oregon 97204.

If you have any questions, you should see an attorney immediately. If you need help finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

If special accommodation under the Americans with Disabilities Act is needed, please contact the Court at the address listed above, telephone 503-988-3957.

DATED this 9th day of January 2020.

HARRIS ♦ VELÁZQUEZ ♦ GIBBENS



M. Casey Gibbens, OSB # 07834

Attorney for Plaintiff

(503) 648-4777 Fax: (503) 648-0989

Email: cgibbens@harrislawsite.com

1 – SUMMONS

HARRIS ♦ VELÁZQUEZ ♦ GIBBENS
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EXHIBIT 1
PAGE 12 OF 13

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRACY WADLEY, an individual, and
COLLEEN WADLEY, an individual,

Plaintiffs,

vs

DAREN DURHAM, an individual, COVEY
AUTO EXPRESS INC., dba PACIFIC AUTO
TRANSPORT, a California corporation,
COMMAND CENTER INC., dba
HIREQUEST INC., a Delaware corporation,

Defendants.

Case No.: 20CV02047

PROOF OF SERVICE

I, David Davis, being first duly sworn, say that I served the attached Summons and Complaint upon the following party Charles Hasting; Registered Agent for Covey Auto Express Inc. dba Pacific Auto Transport on the 9th day of January 2020 by office service.

Dated this 20th day of January 2020.


David Davis

1 - PROOF OF SERVICE

HARRIS VELÁZQUEZ GIBBENS
Attorneys at Law
165 S.E. 26th Avenue
Hillsboro, Oregon 97123
Telephone (503) 648-4777

EXHIBIT
PAGE 13 OF 13

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REGISTER OF ACTIONS

CASE No. 20CV02047

Wadley Tracey, Colleen Wadley vs Daren Durham, Covey Auto Express
 Inc., Command Center Inc.,

§
§
§
§
§

Case Type: Tort - General

Date Filed: 01/09/2020

Location: Multnomah

PARTY INFORMATION

Attorneys

Defendant **Command Center Inc., Doing Business**
As Hirequest Inc.
 251 Little Falls Dr.
 Wilmington, DE 19808

Defendant **Covey Auto Express Inc. Doing Business**
As Pacific Auto Transport
 4568 Feather River Drive
 Stockton, CA 95219

Defendant **Durham, Daren**
 211 8th St.
 Washougal, WA 98671

Plaintiff **Tracey, Wadley**
 59879 Jaden Drive
 St. Helens, OR 97051

M CASEY GIBBENS

Retained

503 648-4777(W)

Plaintiff **Wadley, Colleen**
 59879 Jaden Dr.
 St. Hellens, OR 97051

M CASEY GIBBENS

Retained

503 648-4777(W)

EVENTS & ORDERS OF THE COURT

OTHER EVENTS AND HEARINGS			
01/09/2020	<u>Complaint</u>		
	<i>Negligence; NOT SUBJECT TO MANDATORY ARBITRATION</i>		
	Created: 01/09/2020 8:55 AM		
01/09/2020	<u>Service</u>		
	Durham, Daren	Served	01/26/2020
		Returned	02/03/2020
	Covey Auto Express Inc.	Served	01/09/2020
		Returned	01/09/2020
	Command Center Inc.,	Served	01/15/2020
		Returned	01/20/2020
	Created: 01/09/2020 8:55 AM		
01/09/2020	<u>Proof - Service</u>		
	Created: 01/09/2020 3:30 PM		
01/20/2020	<u>Proof - Service</u>		
	Created: 01/22/2020 11:57 AM		
01/20/2020	<u>Proof - Service</u>		
	Created: 01/22/2020 12:19 PM		
02/03/2020	<u>Proof - Service</u>		
	Created: 02/03/2020 4:47 PM		

FINANCIAL INFORMATION

	Plaintiff Tracey, Wadley		
	Total Financial Assessment		884.00
	Total Payments and Credits		884.00
	Balance Due as of 02/13/2020		0.00
01/09/2020	Transaction Assessment		884.00
01/09/2020	xWeb Accessed eFile Receipt # 2020-34423	Tracey, Wadley	(884.00)

EXHIBIT 2
 PAGE 1 OF 1

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2020 I served a copy of **DEFENDANT COMMAND CENTER INC. dba HIREQUEST INC.'S NOTICE OF REMOVAL** on:

M. Casey Gibbens
Harris Velázquez Gibbens
165 SE 26th Ave
Hillsboro, OR 97123
Email: cgibbens@harrislawsite.com
Of Attorneys for Plaintiff

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Attorney for Def. Durham

_____ Electronically by the court's eFiling system. Service was accomplished at the party's email address as recorded on the date of service in the eFiling system. (UTCR 21.100.)

_____ By facsimile at the telephone number listed above. (ORCP 9F.)

X By email at the email address listed above. (ORCP 9G.)

X By mailing a copy thereof, placed in a sealed envelope addressed as listed above and deposited in the United States mail at Portland, Oregon, and that postage thereon was fully prepaid.

SMITH FREED & EBERHARD P.C.

By: 

Ryan J. McLellan, OSB# 023908
Sean K. Conner, OSB# 132518
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Of Attorneys for Defendant Command